

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

CARL E. WHITACRE,

Plaintiff,

v.

**Case No. 2:23-cv-03435
JUDGE EDMUND A. SARGUS, JR.
Magistrate Judge Kimberly A. Jolson**

WARDEN JAY FORSHEY, *et al.*,

Defendants.

ORDER

On March 6, 2024, the Magistrate Judge issued a Report and Recommendation recommending that this action be dismissed for lack of prosecution. (ECF No. 9.) Although Plaintiff Carl Whitacre was advised of the right to object to the Magistrate Judge's Report and Recommendation, and of the consequences of failing to do so (*id.*, PageID 57–58), he has not objected.

The Magistrate Judge issued a Deficiency Notice and Deficiency Orders in Mr. Whitacre's case. (*Id.*; *see* ECF Nos. 2, 4, 8.) While Mr. Whitacre remedied certain deficiencies in his filings, he failed to comply in full with the Orders, and did not respond to the Magistrate Judge's latest Deficiency Order. (*See* ECF No. 8.) In both Deficiency Orders, the Magistrate Judge warned that failure to comply would result in dismissal of the action for want of prosecution. (ECF Nos. 4, 8.)

The Report and Recommendation therefore is **ADOPTED** and **AFFIRMED**. (ECF No. 9.) For the reasons set forth in it, this action is **DISMISSED** for lack of prosecution. The Clerk is **DIRECTED** to **ENTER JUDGMENT** and **TERMINATE** this case.

IT IS SO ORDERED.

5/24/2024
DATE

s/Edmund A. Sargus, Jr.
EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE